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Application No. 10/509,541

REMARKS

The Office Action dated December 8, 2006 has been received and reviewed. This response is directed to that action.

Claims 1-4, 15 and 17-19 have been cancelled. Claims 5, 6, 8 and 11 have been amended. Support for the amendment to claim 5 can be found on page 6, lines 19-21 of the originally filed specification. The amendments to claims 6, 8 and 11 change the dependency to bring them into conformity with the pending claims. No new matter is believed to have been added.

The applicants respectfully request reconsideration based on the foregoing amendments and the following remarks.

Claim Rejections- 35 U.S.C. §102

The Examiner rejected claims 1-19 under 35 U.S.C. §102 as anticipated by Channer (US 7,036,747). The applicants respectfully traverse this rejection.

In order to establish a *prima facie* case of anticipation, the reference must teach all of the limitations of the present claims, either explicitly or inherently. MPEP §2131. The applicants submit that claim 5 and claims depending therefrom, as currently amended, are not anticipated by Channer because Channer fails to teach all of the limitations of the present claims. The device taught by Channer does not teach a base located and integrally formed with a lower end of the container and shaped such that the base extends rearwardly from the gel receiving recess.

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Moreover, Channer even fails to suggest an air freshener or purifier in such an arrangement. Accordingly, because Channer fails to teach all of the limitations of the present invention, the applicants submit that a *prima facie* case of obviousness cannot be established, and respectfully request that this rejection be withdrawn.

Claim Rejections- 35 U.S.C. §103

The Examiner rejected claims 1, 2 and 4-19 under 35 U.S.C. §103(a) as obvious over O'Leary (US 6,631,852) in view of Martin (US 5,788,155). The Examiner stated that O'Leary teaches all of the limitations of the present claims except for a base with a slot for supporting the container in a substantially vertical orientation. However, the Examiner reasoned, Martin discloses an apparatus for dispensing deodorants or insecticides having a plastic base with a slot formed by the sides. Therefore, it would have been obvious to one of ordinary skill in the art to have provided the device of O'Leary with a supporting base as suggested by Martin. The applicants respectfully traverse this rejection.

The applicants submit that a *prima facie* case of obviousness cannot be established because the references as combined fail to teach every limitation of the present claims. There is nothing in the combination of O'Leary and Martin that teaches a container having a base located and integrally formed with the lower end of the container, wherein the base is shaped to have a section which extends rearwardly from the gel-receiving surface. Accordingly, the applicants respectfully request that this rejection be withdrawn.

The applicants respectfully submit that the information provided herein satisfies the

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Examiner's request. It is therefore respectfully requested that the Examiner withdraw the present rejections and allow these claims to proceed to issue. Moreover, rejoinder of the withdrawn claims is requested. If any issues remain, the resolution of which may be advanced through a telephone conference, the Examiner is invited to contact the applicants' attorney at the number listed below.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,

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By



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